IV. REMARKS

- **The Examiner's Objections:**

Claims:

Claim 1 is objected to because in claim 1, line 11, "pm" should be deleted.

Appropriate correction is required.

Specification

In the specification, on pages 1 and 3, a copending parent application number is missing. " 10/704,456" should be added. as an appropriate correction.

Applicant's Response to Objections

Claim 1 has been canceled and correctly replaced by new claim 17.

The Specification has been amended on pages 1 and 3 by inserting Serial Number 10/704,456, appropriately.

- **The Examiner's Rejections:**

Claim Rejections - 35 USC 112

Claims 2, 6, 8, 10 and 14-16 are rejected under 35 U.S.C. 112, second paragraph, as

in claims 2, 6 and 8, the preamble "The method" lacks antecedent basis. In addition, preamble of dependent claim should be consistent with the preamble of the independent claim. In this case, "The method" should read "The system".

Claim 6 is vague and indefinite because it doesn't end with an end period.

In claims 14-16, "the metered zone" in line 5 of claim 14, in line 6 of claim 15 and in line 7 of claim 16 each lacks antecedent basis.

- **Applicant's Response:**

The Applicant submits corrected claims wherein the ambiguities have been removed by the aforegoing amendment.

Rejection under 35 USC 102

Examiner's Position:

Claims 1-3 , 5, 6, 15 and 16 are rejected under 3 5 U. S C. 102(b) as being anticipated by Katz (US Pub. No. 2002/0109610 Al). Regarding claims 1-3 a system is disclosed (see Fig. 1) for enforcement of parking regulations with respect to vehicles (11) situated in a metered zone (12), said system comprising; a meter (65, Fig. 6) comprising a wireless monitoring device (50, Fig. 5, pp 0053) and a transceiver (60, pp 0035, pp 0058 and pp 0060, pp 0078); a vehicle control system (10, Figs. 2A and 2B); a device (30, 40, pp 0050).

Regarding claim 5, Katz further discloses a camera (pp 0061).

Regarding claim 6, Katz discloses the transmission of a vehicle ID number (pp 0043, pp

0064, pp 0065 and pp 0067).

Regarding claims 15 and 16, the system and method of Katz as disclosed in claim 1 is inherently reducing the utilization of human resources and operation cost associated with the issuance of summons.

Applicant's Response:

Applicant respectfully disagrees. On the contrary, the cited reference does not disclose, claim or suggest the presently claimed invention. In the first instance, Applicant traverses that the Examiner's 35 U.S.C. §102(b) rejections asserting in part that the references of record do not teach every element of any claim. Applicant respectfully notes that anticipation requires that each and every element of the claimed invention be disclosed in the prior art reference, device, or practice (See, *Akzo N.V. v. U.S. Int'l Trade Comm'n*, 808 F.2d 1471, 1 U.S.P.Q.2d 1241, 1245 (Fed. Cir. 1986).

Moreover, Applicant has amended the claims herein to streamline prosecution of the claims to embodiments of the invention which are currently believed to be of commercial interest. The instant system as presently claimed in newly added claims 17 and 18 is not even remotely suggested by the cited reference. The claimed invention is directed to a completely automated system chiefly contained in a single apparatus so as to be able to obviate human intervention or human resource utilization (page 2, paragraph 0007, page 3, lines 1 and 2). The entire operation involving regulation or control of parking or traffic is facilitated by a wireless monitoring device that automatically monitors and communicates with the vehicle, be it stationary or rolling. The wireless monitor is programmed to receive electronic information from,

and to send information to, a given vehicle under surveillance without utilizing or requiring the aid of portable devices as ID or in the form of a transceiver carried by the vehicle operator. The instant system automatically operates without intervention by a human monitor or the vehicle operator himself. Both processes of permission and prevention take place in an explicitly autonomous fashion.

In contrast, the cited system/method by Katz discloses a coin or card operated meter that may or may not require human communication/intervention to receive parking permission. Moreover, Applicant asserts that the cited mechanism indicates only conventional permit types still requiring parking meters and interaction with such meters by inserting or identifying special means. The Katz method is illustrated in Fig. 1, where the parking control as well as the authorization of parking depends on interaction between human beings as illustrated in Fig. 1 by the monitor held by a policeman and indicated by the "portable" transceiver in the car. Contrary to the instant system, there is no proviso or example showing or implying for a completely automatic system in a single intelligent device devoid of human intervention, as presently claimed. Claim 16 has been amended to be directed to obviating human intervention by deploying an intelligent automatic wireless system, such that the need for human resource for the controlling operation of parking spaces is obviated. The alleged inherency is not supported by the cited disclosure and is thus deemed a construction from hindsight.

Claim Rejections **- 35 USC 103**

The Examiner's Position:

A. Claims 4 and 7-12 are rejected under 35 U.S.C. 103(a) as obvious over Katz (US Pub. No.

2002/0109610 A1).

Regarding claim 4, the Examiner contends that the cited reference to Katz differs from claim 4 in that it doesn't disclose the type of signal generated by the vehicle control system (portable transceiver 10). However, Fig. 1 of Katz clearly shows a wireless signal, the recited forms in claim 4 are well known types in the art Thus, it would have been obvious to a person having ordinary skill in the art at the time of the invention to employ such well known technology to the system of Katz for a simple design of the portable transponder 10.

Regarding claim 7, Katz differs from claim 7 in that it does not disclose that the meter transmits a meter unique identifier to the vehicle control system. However, Katz discloses communication can be established between the meter and portable transceiver (pp 0060), each meter is uniquely identified in the system (pp 0034), in order to show (e.g. , to meter monitor 41 , see Fig. 1) and confirm (to the parked vehicle owner or portable transceiver 10) to which meter the vehicle is parked, the meter ID should be sent to and stored in the vehicle control system (portable transceiver 10). Whether or not such data is sent directly from the meter or directly from the central computer system (30) is alleged to be merely a matter of design choice and an obvious modification to the system of Katz.

Regarding claim 8, the Examiner admits that Katz doesn't disclose that the meter transmits information to the vehicle control system to inform the operator of the vehicle that the vehicle is stationary/parked/idling in the metered zone. However, as disclosed above to claim 7, the meter of Katz allegedly communicates with the vehicle control system (portable transceiver I 0) (pp 0060). Katz further discloses that the system 30 can be configured to send message to the portable transceiver 10 to inform the user of parking related information (pp 0019, 0073, 0074, 0045, 0046). In the Examiner's opinion it would have been obvious for the system of Katz to send/transmit information to remind or inform the user of expiring purchased time and/or further payment can't be received while the vehicle detector still detects the presence of the vehicle. Whether or not such information is transmitted directly from the meter or directly from the central computer system (30) is merely a matter of design choice and an obvious modification to the system of Katz.

Regarding claims 9, 11 and 12, the Examiner alleges that the meter of Katz inherently includes a

time-lapse recorder for such function is conventional to a meter. Although the Examiner admits that Katz does not disclose a shock/vibration/sound/impact sensor in the meter, the Examiner also contends that it is common that a meter includes a tamper detector/sensor (e.g., motion sensor) to monitor any tampering action toward the meter. Thus, it would have been ordinary skill in the art at the time of the invention to incorporate shock/vibration obvious to a person having /sound/impact sensor in the meter to protect and prevent the meter from tampering. Regarding claim 10, although the Examiner admits that Katz does not disclose a plurality of surveillance cameras mounted facing all four directions, he contends it's common to provide surveillance cameras in parking area to cover and protect the whole parking area. Therefore, it would have been obvious to provide surveillance cameras around the parking meters of the system of Katz to protect the parked vehicles and their owners.

B. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being obvious over Katz in view of Brusseaux et al. (US Pat. No. 6,104,299).

Regarding claim 13, Katz differs from claim 13 in that it does not disclose that the wireless monitoring device monitors volume and flow of traffic to coordinate traffic light sequencing for optimum traffic movement. However, Brusseaux et al, from the same field of endeavor, disclose incorporating other sensors/detectors (13, 23) to parking meters (10, 20) for monitoring other conditions surrounding the parking meters area and further controling traffic light (40) sequencing base upon the result of the sensors/detectors. Based on this teaching, it would have been obvious to an ordinary person skilled in the art at the time of the invention to incorporate other sensors (such as traffic monitors, volume and flow) in the parking meters of Katz to monitor additional conditions around the parking meters. One motivation for such modification is that parking meters are readily available, offer dense geographical coverage and are connected in a centralized network which make it easier and cheaper to implement other monitoring function/system without significant modification to the metering system (col. 2, lines 12-28).

Regarding claim 14, as addressed above to claims 1 and 13, Katz discloses a system comprising a meter, a vehicle control system and a device. Katz differs from claim 14 in that Katz does not disclose monitoring emission from a vehicle by the meter. However, as discussed in claim 3, Brusseaux et al. teach that pollution sensors (13, 23) can be incorporated into a parking meter (1

0, 20) for monitoring emission from vehicle(s) for a simple and low cost system (col. 1 , lines 1 0- 1 5, 46-54 and col. 2, lines 1-5). Based on this teaching, it would have been obvious to an ordinary person skilled in the art at the time of the invention to incorporate pollution sensors in the parking meters of Katz to monitor emission from vehicle. One motivation for such modification is that parking meters are readily available, offer dense geographical coverage and are connected in a centralized network which make it easier and cheaper to implement other monitoring function/system without significant modification to the metering system (col. 2, lines 12-28).

Applicant's Response:

Applicant disagrees. The cited references taken alone or in combination , neither disclose nor suggest the claimed invention as amended. Independent claims 14, 17 and 18 are directed to a completely automatic system that is able to operate expressly devoid of human intervention.

The rejection of claims 4, and 7-12 is deemed overcome in as much as the base claim17 is advantageously distinct from the cited combined art for the reasons set forth above in response to the novelty rejections. Therefore, the rejections of the claims 4, 7-12, 13 and 14 under 35 U.S.C. 103 is deemed improper and its withdrawal is solicited herewith.

CONCLUSION

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Howard (US Pub. No. 2002/01 096 11 Al) and Dee (US Pub. No. 2002/0008639 Al) are cited to show other automatic parking payment/management systems.

Roberts (US Pat. No. 4,297,683) is cited to show vandal alarm system for parking meters.

Bahar (US Pub. No. 2003/0 132840 Al) is cited to show an enhanced parking meter utilizing user ID technology.

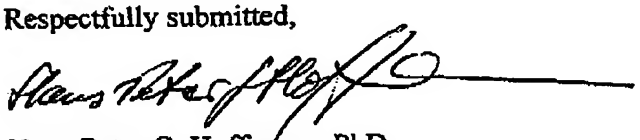
Puckett (US Pat, No. 5,829,913) is cited to show a bollard with plurality of surveillance cameras.

Yoo et al. (US Pat. No. 6,107,942) and Trajkovic et al. (US Pat. No, 6,426,708 B 1) are cited to show parking area with surveillance cameras. Applicant has reviewed these references that the Examiner cited but did not rely on. No further comments are deemed requisite at this time.

In view of the present amendment and remarks set forth thereto, the claimed subject matter is not disclosed or even suggested by the cited references. Applicant, therefore, requests that the rejection under the statutes be withdrawn, which favorable action is solicited.

The application is now believed to be in condition for allowance and an early notification thereof is respectfully requested.

Respectfully submitted,



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